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August 9, 2005

The Honorable Gregory M. Sleet
United States District Court
844 North King Street, Room 4209
Lockbox 10
Wilmington, DE 19801

**RE: In Re: Wayne Savage and Belinda Savage
C.A. No. 04-CV-295**

Dear Judge Jordan:

On or about May 9, 2004, Appellants in the above-matter filed a *pro se* emergency appeal to the Court from an Order of the Bankruptcy Court dismissing their Chapter 13 bankruptcy with prejudice.

The Court granted an emergency stay of the Sheriff's sale I had scheduled for their real property for May 10, 2004.

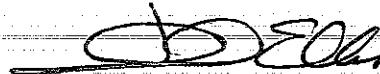
For informational purposes, I have attached a copy of an Objection I had filed to the Savages' Motion to Reconsider Dismissal of the bankruptcy. As Your Honor can see, the Savages are bad faith filers of bankruptcy petitions as they have filed three (3) bankruptcies since 2002 and have made no mortgage payments since at least April 2002. Furthermore, each of the bankruptcies filed by Appellants was dismissed for their failure to comply with the bankruptcy code and rules for failure to make payments to the Trustee and to fund their bankruptcy plans. I have also attached a photocopy of Judge Fitzgerald's Order of May 10, 2004 which confirms Appellants' total disregard for the bankruptcy requirements.

I am writing to respectfully ask the Court to either grant or deny Appellants' appeal so that this matter can move forward and my client, the first mortgage holder, can exercise its rights to the collateral.

The Honorable Gregory M. Sleet
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Thank you for your consideration of this request.

Sincerely,



John I. Ellis

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Enclosures

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

IN THE MATTER OF:

WAYNE L. SAVAGE and
BELINDA SAVAGE,
Debtors.

)
CASE NO.: 03-12500-JKF
)
)
CHAPTER 13
)

**OBJECTION BY VALLEY PINE MORTGAGE TO
DEBTORS' MOTION TO RECONSIDER DISMISSAL OF CASE**

COMES NOW, John I. Ellis, Esq., attorney for Valley Pine Mortgage, Inc., a secured creditor holding the first mortgage on the Debtors' residence, and objects to the Motion filed by Debtors to reconsider the dismissal of their bankruptcy. The grounds for this objection are as follows, to wit:

1. This is the third bankruptcy filed by these Debtors since April 2002. The bankruptcies filed by these Debtors were all Chapter 13's and were as follows:

Case No. 02-11233-JKF – filed April 26, 2002

Case No. 02-13301-JKF – filed November 7, 2002

Case No. 03-12500-JKF – filed August 11, 2003

2. The last two bankruptcies filed were eleventh hour filings to stay foreclosure sales by the Sheriff.

3. Each of the bankruptcies above were dismissed for the failure of Debtors to file the necessary paperwork and/or for failure to make payments to the Trustee and post-petition payments to the mortgage holder.

4. Since April 2002, Debtors have made only one payment to this creditor in April 2002, and that check was returned for non-sufficient funds.
5. This creditor has also had to provide forced placed insurance since at least 2002.
6. The Note signed by Debtors contained a balloon payment, so that the entire amount of indebtedness to this creditor became due November 1, 2001.
7. Debtors have failed to make payments to the Trustee in all of the cases.

WHEREFORE, Valley Pine Mortgage, Inc., secured creditor, prays that the Debtors' Motion to Reconsider be denied and that the bar for filing again for six (6) months as contained in the original dismissal of this case be extended to 180 days due to the appeal of Debtors' Motion to Reconsider.

STREET & ELLIS, P.A.

BY: 

JOHN I. ELLIS, Esq.
Delaware Bar Admission No.: 019
Attorneys for
426 S. State Street
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Dover, DE 19901

Dated: 5/17/04

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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

IN RE

Wayne & Belinda Savage
Debtors

Bankruptcy No. 03-12500
Chapter 13

Related to Dkt. No. 37, Motion to
Reconsider Order of Dismissal

ORDER DENYING MOTION FOR RECONSIDERATION

AND NOW, this 10th day of MAY, 2004,

WHEREAS this is Debtors' third bankruptcy case

WHEREAS in their previous two cases Debtors never funded a plan;

WHEREAS the Chapter 13 Trustee represents to the court that Debtors have failed to make regular pre-confirmation payments in this case,

It is ORDERED that the motion for reconsideration filed on behalf of Debtors is

DENIED and the hearing scheduled for May 25, 2004, at 9:45 a.m. is canceled.

Judith K. Fitzgerald

Judith K. Fitzgerald
United States Bankruptcy Judge